

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1162/1dn
GMM:eev:ph

January 18, 2013

Megan:

You have requested that the provision requiring DWD to consult with the Technical College System Board and the Wisconsin Economic Development Corporation be drafted as a nonstatutory provision. Joint Rule 53 (1) provides that “[i]t is the policy of this state that law of continuing application is incorporated into the statutes.” Therefore, because the consultation provision is drafted as a nonstatutory provision rather than being incorporated into the statutes, the consultation provision is a temporary, transitional provision and not a law of continuing application. Joint Rule 53 (2) (k) provides that temporary, transitional provisions, not extending beyond July 1 of the even-numbered year of the next biennial session, in this case, July 1, 2016, need not be incorporated into the statutes. Accordingly, the draft provides that the consultation provision applies until July 1, 2016. If you want that provision to apply after that date, the provision needs to be moved to the statutes.

The budget act repeals and recreates the entire appropriation schedule. As such, if this draft were to take effect before the budget, the appropriation created in this draft would be repealed by the budget act. Accordingly, this draft includes an effective date provision providing that the draft takes effect on the day after publication or on the day after the budget takes effect, whichever is later.

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